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IAB CASE NO. SH2191426





LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
JOHN SPILLANE • Chief Deputy District Attorney
CURTIS A. HAZELL • Assistant District Attorney

JANICE MAURIZI • Director

March 11, 2008

Captain James Curtis
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

Re: J.S.I.D. # 07-0168
L.A.S.D. # 007-03654-1624-053

Dear Captain Curtis:

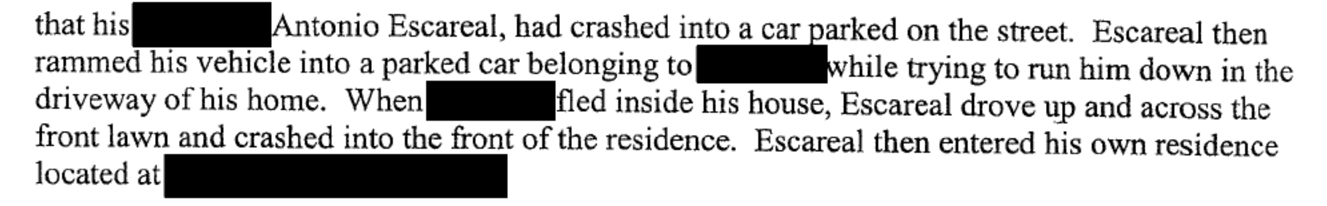
The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the March 15, 2007, fatal shooting of Antonio Latorre Escareal by Detective Stephen Glass and Deputy Steve Pomeroy of the Los Angeles County Sheriff's Department (LASD). We find that they acted lawfully in self-defense and defense of another.

The following analysis is based upon the reports submitted to this office on November 15, 2007, by Detective Kevin Lowe of the LASD, Homicide Bureau. The District Attorney's Command Center was notified of this incident at 10:40 a.m. on March 15, 2007. The District Attorney Response Team, consisting of Deputy District Attorney Christian Gullon and Senior Investigator [redacted] was notified by the Command Center and responded immediately to the scene. They were given a briefing and a "walk-through" of the scene by investigators. Detective Glass and Deputy Pomeroy gave voluntary statements which were reviewed and considered in our analysis.

FACTUAL ANALYSIS

On March 15, 2007 at approximately 9:30 a.m., Detective Stephen Glass, Detective Jay Deboom and Deputy Steve Pomeroy were assigned to the LASD Carson Station. They responded to a call of an individual intentionally crashing a vehicle into cars and homes in the 22000 block of South Neptune Avenue in the City of Carson. The reporting party, [redacted] told the deputies

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that his [redacted] Antonio Escareal, had crashed into a car parked on the street. Escareal then rammed his vehicle into a parked car belonging to [redacted] while trying to run him down in the driveway of his home. When [redacted] fled inside his house, Escareal drove up and across the front lawn and crashed into the front of the residence. Escareal then entered his own residence located at [redacted]

The three deputies attempted to make contact with Escareal through the open front door of the residence. Pomeroy saw Escareal standing in the doorway of a bedroom and ordered him to come outside. Escareal responded that he would not come outside, but if they wanted to speak with him to enter the residence. As Detective Glass and Deputy Pomeroy entered they observed Escareal behind a semi-closed bedroom door. Detective Deboom entered behind them and also observed Escareal. As they approached the bedroom door, Escareal armed himself with knives and charged the three deputies. Deboom was able to retreat to the safety of the front porch. Pomeroy and Glass immediately backed up towards the front door of the residence. Escareal threw two knives at the deputies one of which struck Deputy Pomeroy. Escareal was within arms reach of the deputies by the time they reached the front door. Fearing one or both were about to be stabbed by Escareal, both Pomeroy and Glass fired one round each from their service weapons. Escareal was struck once in the neck and fell to the floor.

Detective Deboom summoned emergency medical help. Another knife was located beneath Escareal when he was turned over to provide medical attention. Escareal was transported to UCLA – Harbor General Medical Center. A toxicology screen returned positive for cocaine. Escareal received medical care until his condition deteriorated and he expired on May 1, 2007. Escareal had a history of schizophrenia.

On May 6, 2007, Deputy Medical Examiner Jeffrey P. Gutstadt, M.D. of the Los Angeles County Coroner's Office conducted an autopsy on the body of Antonio Escareal. Dr. Gutstadt ascribed Escareal's death to the gunshot wound to the neck received on March 15, 2007

CONCLUSION

According to the law in California, the use of deadly force in self-defense or in the defense of others is justifiable if the person claiming the right to use self-defense actually and reasonably believed (1) that he or she or the person who he or she was defending was in imminent danger of death or great bodily injury, and (2) that it was necessary under the circumstances to use deadly force to avoid such imminent death or great bodily injury. *California Jury Instructions --- Criminal* 5.12 *et. seq.*

The evidence examined in this investigation shows that Antonio Escareal crashed into several parked cars and tried to run over his neighbor prior to the police arriving on scene. Escareal armed himself with several knives and attacked the deputies. He threw a knife at Deputy Pomeroy, striking him. Fearing for their lives, both Deputy Pomeroy and Detective Glass fired at Escareal ending the threat. We find that the deputies' response with deadly force was in

lawful self-defense and defense of another. Therefore, we are closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By

CHRISTIAN GULLON
Deputy District Attorney
(213) 974-3880

c: Detective Jay Deboom, [redacted]
Detective Stephen Glass, [redacted]
Deputy Steve Pomeroy, [redacted]